

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Mahatma Gandhi National Rural Employment Guarantee Act, 2005 – National Rural Employment Guarantee Scheme – Andhra Pradesh – Compensation to labourers for the delay in wage payments – Amendment to para 15 of the Scheme - Orders – Issued

PANCHAYAT RAJ AND RURAL DEVELOPMENT (RD. II) DEPARTMENT

G.O.Ms.No.153

Dated:06.07.2011

Read the following:

1. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Act No.42 of 2005).
2. National Rural Employment Guarantee Scheme – Andhra Pradesh formulated in G.O.Ms.No.550, Panchayat Raj & Rural Development (RD.II) Department, dated 6.12.2007.
3. Payment of Wages Act, 1936

ORDER:

Whereas, the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Act No.42 of 2005) provides legal guarantee of at least one hundred days of wage employment in a financial year to a rural household, whose adult members volunteer to do unskilled and manual work;

2. And whereas subsection (3) of section 3 of the said Act provides that, the disbursement of daily wages shall be made on a weekly basis or in any case not later than a fortnight after the date on which such work was done.

3. And whereas section 25 of the said Act prescribes penalties for contravention of the provisions of the Act and the delaying payment of wages being one of the main provisions of the Act;

4. And whereas para 30 Schedule II of the said Act lays down that, in case the payment of wages is not made within the period specified under the Scheme, the labourers shall be entitled to receive payment of compensation as per the provisions of the Payment of Wages Act, 1936 (4 of 1936).

5. Now therefore, the Government of Andhra Pradesh hereby makes provision of payment of compensation on delayed payments of wages to the labourers as per the notified time period duly penalizing the functionaries found responsible for such delays by amending the National Rural employment Scheme Andhra Pradesh formulated in G.O.Ms.No.550, Panchayat Raj & Rural Development (RD.II) Department, dated 6.12.2007.

6. Accordingly the following notification will be published in the Extra ordinary issue of the Andhra Pradesh Gazette dated 6.7.2011.

NOTIFICATION

In exercise of the powers conferred under subsection (1) of section 4 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, Government of Andhra Pradesh hereby amend the National Rural Employment Guarantee Scheme, Andhra Pradesh formulated in G.O.Ms No. 550, PR & RD Department (RD II) 6th December, 2007.

AMENDMENT

In the said scheme, the para "15.Wages," the following shall be substituted, namely:-

"15.Wages:

- (1) Equal wage shall be paid to both men and women. The payment of wages shall be made on weekly basis. The programme Officer the District Programme Coordinator and The State Programme Coordinator shall keep a watch on the average wages earned. If necessary, the schedule of rates may be revised to ensure that the wage per day is equal to the minimum wages notified by the Government under Minimum Wages Act, 1948. The district wise average wage earned by the workers shall also be brought to the notice of the State Council every year.

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(2) Fixed Payment Cycle:

To ensure timely payments to the labourers for the work done, the Commissioner Rural Development shall fix up maximum time limits for each completing process resulting in payment of wages to the wage seekers, in such a way that each wage seeker gets the wage payments for the work done in the week by the end of the subsequent week

(3) Compensation:

- (a) In case of delay in payment of wages beyond 14 days from the first day of reporting for work, the labourers engaged in the scheme are entitled for the payment of compensation at the rate of 0.3% per each day of delay.
- (b) The compensation to the wage seekers will be paid duly penalizing the functionaries found responsible for the delay in such a way that the penalty is equal to the compensation payable.
- (c) The process of deducting the penalty amount from the salaries/ service charge of the functionaries and payment of the same to the wage seekers shall be an automatic process with least manual processing and the concomitant delays.
- (d) For the purpose of calculation of delays caused by each functionary/paying agency, the number of days permissible to accomplish the activity assigned to them, will be as given below.

Sl. No	Name of the functionary	Name of the Activity	Holiday during working season	Preceding activity	Permissible No. of days to complete the activity
(1)	(2)	(3)	(4)	(5)	(6)
(1)	Technical Assistant	Measurements	Tuesday	Muster rolls	3 days
(2)	Engineering Consultants	Check Measurement	Wednesday	Measurements	2 days
(3)	Computer Operator, Addl. Programme Officer	Generation of Pay Order	Sunday	Measurement / Check Measurement	2 days
(4)	Programme Officer	Uploading FTOs	Sunday	Pay Orders	2 days
(5)	Paying agencies (Banks/Postal Dept/V.O)	Disbursement of wages to labourers at village level	-	e-Pay orders & Receipt of money	4 days

- (e) Commissioner Rural Development shall put in position a mechanism of capturing the dates of measurements, check measurements, generation of pay orders, generation of Fund Transfer Orders (FTOs), uploading of FTOs, receipt of funds by paying agency, disbursement of wages to the labourers at the village level, to calculate the delay caused by various functionaries.

(4) Authorized Officer

The Project Director shall be the Authorized Officer for the purpose of approving the recoveries and payment of compensation on an online mode. Provided that no recovery is made when the delay has occurred due to natural calamities or factors beyond the control of the functionary.

(5) Process of Recovery and payment of Compensation

Once the Project Director approves the recoveries, the recoveries will be effected automatically in the salary pay order of the functionaries and commission pay orders of the paying agencies. Once the recoveries are effected, Special Compensatory Pay Orders and related FTOs are generated by the Project Director/DWMA and send to the paying agency for the disbursements to the labourers at village level.

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(6) **Management of Information System (MIS) Reports:** The Commissioner Rural Development shall place on the website monitoring reports and exception reports to monitor the compensatory wage payments in the website.

(7) During dry season i.e., from 1st February to 30th June of every year, 20% extra rates shall be given to the labourers whose wages are calculated based on price rate.

(8) The Mandal Engineering Officer and Employment Guarantee Scheme Engineer shall super check every work at its final stage of completion.

The G.O is available in <http://www.rd.ap.gov.in/> and <http://www.nrega.ap.gov.in/>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (RD)**

To

The Commissioner, Printing, Stationery and Stores Purchase (Printing wing), Government Printing Press, Chanchalguda, Hyderabad with a request to publish the Notification in the next issue of extraordinary Gazette and furnish 1000 copies to PR & RD (RD-II) Department.

The Commissioner, Rural Development, AP., Hyderabad

The Director, MGNREGS – AP

The District Collectors and District Programme Coordinators of 22 MGNREGS – AP districts.

The Project Directors, DWMA's and Addl.Dist.Programme Coordinators of 22 MGNREGS – AP districts.

The Project Directors, DRDAs and Addl.Dist.Programme Coordinators of 22 MGNREGS – AP districts.

The Chief Executive Officers, ZPs and Addl.Dist.Programme Coordinators of 22 MGNREGS – AP districts.

The Project Officers, ITDA and Addl. Dist. Programme Coordinators of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Nellore, Kurnool, Mahabubnagar, Adilabad, Warangal, Khammam and Nalgonda Districts

The Commissioner, Panchayat Raj, AP., Hyderabad

The Commissioner, Tribal Welfare, AP., Hyderabad

The Commissioner, AMR APARD, Rajendranagar, Hyderabad

Copy to:

The Accountant General, AP, Hyderabad.

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Special Secretary to Hon'ble Chief Minister.

PS to Minister (RD, RWS & EG).

Private Secretaries to all Ministers

PS to Chief Secretary to Government.

Law (A) Department

PS to Principal Secretary to Government (RD).

PA to Joint Secretary to Government (RD)

The PR&RD (Genl) Department,(2 copies)

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SECTION OFFICER